

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

PAPER NO. 16

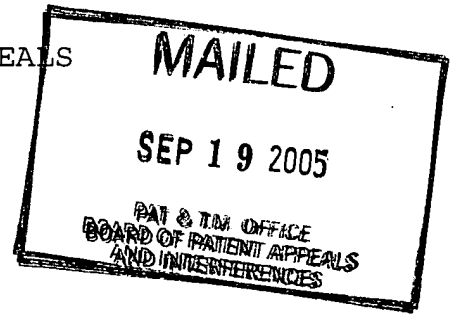
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROGER WILLIAMS

Appeal No. 2005-2430
Application No. 09/997,934

ORDER REMANDING TO EXAMINER



Upon review of the Examiner's Answer mailed on April 20, 2004 (Paper No. 10), it appears that no appeal conference has been conducted. According to the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., August 2001), when an appeal conference has been held, the appeal conference participants must identify themselves as the conferees, along with placing their initials next to their name. This procedure has not been completely followed, thus raising the question of whether or not an appeal conference was held.

An Information Disclosure Statement was filed on May 16, 2005 (Paper No. 15). The application is being returned to the examiner for consideration of the statement submitted and notification to the applicants to indicate if his submission meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is returned to the Examiner for:

- 1) taking corrective action regarding the appeal conference;
- 2) obtaining and consideration of the Information Disclosure Statement filed on May 16, 2005; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____



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